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September 7, 2021

Hon. Loretta A. Preska
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York
VIA ECF

Re: United States v. Donziger, No. 19-cr-561 (LAP)

Dear Judge Preska:

I write to request expanded access to Mr. Donziger's sentencing, currently scheduled for October 1, 2021. Due to Covid-19 concerns, I am requesting that this Court provide a teleconferencing/videoconferencing link so that interested spectators can view the proceedings remotely, without the need to enter the physical courtroom.

In your Order of April 6, 2021, this Court refused a similar request for Mr. Donziger's trial, finding that Rule 53 prohibited "remote audio-visual access" and that the CARES Act "notably" excluded "trial proceedings" from its list proceedings where remote access is granted. Dkt. 254, p. 2, fn. 1 (emphasis in original).

Happily, the CARES Act specifically authorizes such access for misdemeanor sentencing. Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, Sec. 15002(b).

As this Court is aware, there is significant public interest in this case. Indeed, this Court's Findings of Fact and Conclusions of Law hit the top of the "Decisions of Special Interests" list on the SDNY website when it was issued on July 26, 2021, and even now, six weeks later, places a respectable number 5 on the charts.

Thank you for your attention to this matter.

Ronald L. Kuby